

FINAL REPORT
OF THE
LOCAL GOVERNMENT REVIEW STUDY
COMMISSION
FOR THE
CITY OF LEWISTOWN, MONTANA

Elected members of commission:

Alexzandra Dunnington
Dick Ellestad
Dick Krillenberger
Darryl McKenzie
Butch Sturtz

Ex officio nonvoting member:

Gayle Doney, City of Lewistown Commissioner

August 12, 2016

FINAL REPORT OF THE
LOCAL GOVERNMENT REVIEW STUDY COMMISSION
FOR THE
CITY OF LEWISTOWN, MONTANA

TABLE OF CONTENTS

| | <u>Pages</u> |
|--|--------------|
| A. LETTER TO THE CITIZENS OF THE CITY OF LEWISTOWN | 3 |
| B. SUMMARY OF RECOMMENDATIONS | 4 |
| C. FINAL REPORT | |
| 1. Findings of the study commissions | 5 |
| 2. Resources and Information utilized by the study commission | 6-7 |
| D. CERTIFICATES | |
| 1. Certificate containing the existing form of government (commission-manager form) | 8 |
| 2. Certificate containing the proposed new form of government (commission-mayor) | 9-15 |
| E. COMPARISON OF EXISTING AND PROPOSED FORMS | 16-19 |
| F. ELECTION CERTIFICATES | |
| 1. Certificate establishing elected date on alternative form | 20 |
| 2. Certificate establishing form of the ballot question | 21 |
| 3. Certificate establishing effective date of the charter if approved | 22 |
| G. APPENDIXES | |
| 1. Survey results | 23-24 |
| 2. Timetable for the study commission deliberations and actions | 25-26 |
| 3. Comparison of city manager, mayor, and commission compensation | 27 |
| 4. Comparative costs-current form of government versus proposed form of government | 28 |
| 5. Tentative and Final Report distribution | 29 |

FINAL REPORT – A

Letter to the Citizens of the City of Lewistown

To the Citizens of Lewistown,

In accordance with the Constitution of the State of Montana, the City of Lewistown Local Government Review Study Commission was elected on November 4, 2014 and ex-officio member was appointed by the Lewistown City Commission on November 3, 2014. The Study Commission is honored to present this report to the Citizens of the City of Lewistown.

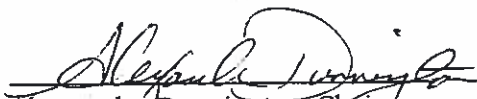
The purpose of the Study Commission, as defined in state law, is “to study the existing form and powers of the local government and procedures for delivery of local government services and compare them with other forms available under law of the state.” After completing these two phases of the study, it is the responsibility of the study commission to submit a report recommending no change, propose an amendment to the existing form of government, or offer an alternative form of government to the voters. The power to change the form of the city government is ultimately up to the voters.

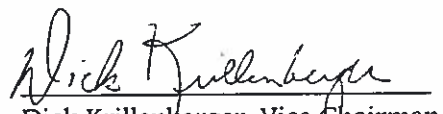
The Study Commission has studied city government for a year and a half and has concluded that the recommended form of government is an elected Mayor and a City commission directing the city and a Chief Administrative Officer (CAO) appointed by the Mayor with advice from the City Commission. The Chief Administrative Officer shall help the mayor with the day-to-day operations of the city and other duties delegated to them. This form of government is the best suited to meet the present and future challenges facing the City. In this report we present our recommendation for a form of government that will efficiently provide governmental services expected by the residents of the City of Lewistown both today and in the future. The objective of the Study Commission is to recommend a form of government that will be responsive to local citizens and allow the opportunity for devising local solutions to local problems.

In every phase of this review the Study Commission sought advice and information from as many people in the community as possible. Opinions and recommendations were solicited from Montana Local Government Center, local government officials, the community and citizens. All meetings of the study commission were advertised and open to the public. Commission members visited with various members of the public to explain the work of the commission and also to hear the viewpoints, ideas, and concerns of community members.


The recommendations of the Commission majority, detailed in the following pages, reflect the thoughts and opinions of those who participated in public hearings and those who attended our regular meetings in addition to the independent study and efforts of the Study Commission. The question of adopting the recommended form of government will be placed on the ballot for voter's decision on November 8th, 2016.

Respectfully submitted by the majority of the City of Lewistown Study Commissioners.


Alexzandra Dunnington, Chairman


Dick Krillenberger, Vice Chairman


Dick Ellestad, Commissioner


Darryl McKenzie, Commissioner


Butch Sturtz, Commissioner

FINAL REPORT – B

City of Lewistown Governmental Review Study Commission Summary of Recommendations August 12, 2016

The Study Commission has studied city government for a year and a half and has concluded that an elected Mayor and a City Commission directing the City and a Chief Administrative Officer (CAO) appointed by the Mayor with advice of the City Commission is best suited for the City. The Chief Administrative Officer shall help the mayor with the day-to-day operations of the city and other duties delegated to them. This form of government is the best suited to meet the present and future challenges facing the City. In this report we present our recommendation for a form of government that will efficiently provide governmental services expected by the residents of the City of Lewistown both today and in the future. The objective of the Study Commission is to recommend a form of government that will be responsive to local citizens and allow the opportunity for devising local solutions to local problems.

- **City Charter.** The recommended City Charter is a six member City Commission elected by the existing wards and a Mayor elected at large as a seventh non-voting member of the City Commission. The mayor may only vote to break a tie. The Charter provides for a chief administrative officer appointed by the mayor with advice of the commission to help with the day to day operation of the city.
- **Chief Administrative Officer Qualifications and Contract.** The charter requires that a Chief Administrative Officer to be hired based on merit (i.e. qualifications and experience) only and engaged by employment contract. The contract may not exceed two years in duration although the Mayor may renew the contract with advice of the commission. The compensation of the Chief Administrative Officer shall be set by the Mayor with advice of the city commission.
- **Review of Existing Ordinances and Structure.** The Charter requires that within two years of ratification of the Charter, the City Commission shall review and where necessary, revise, repeal, or ratify the current ordinances, resolutions, policies, rules and City organizational structure to provide for consistency with the Charter and state law.
- **Agenda and Public Input.** The Charter assures the public's access to the City Commission-Mayor and maintains the ability of the Commission to place items on the City Commissions agenda. This is the same as the current City policy and allows the Mayor to place items on the agenda but not limit the agenda topics.

Copies of the Final report are available at the office of the Lewistown City Clerk at the City Complex, 305 West Watson, Lewistown, Montana 59457, City of Lewistown Public Library, and the City of Lewistown Chamber of Commerce. The Final report is also available on the City of Lewistown Government Review Study Commission website at <http://lewistownstudycomm.wix.com/montana>. If you would like a copy mailed to you please contact the Study Commission at 406-366-3519. Written comments can be mailed to the Study Commission at P.O. Box 659 Lewistown, MT 59457 or emailed to lewistownstudycommission@yahoo.com.

FINAL REPORT – C1

City of Lewistown Governmental Review Study Commission Findings of the Study Commission

Findings

1. The City of Lewistown Study Commission reviewed the form of government commencing in the past 20 plus years to present. The review was thorough and complete as required by law and included training at the Montana Local Government Center regarding the current and available forms of government and careful consideration of public input.
2. The present form of government, twelve municipalities in Montana have adopted, is known as the “Commission-Manager”, comprised of a City Manager and an elected City Commission.
3. Seven city commission members elected from three (3) wards and one (1) who shall be elected at large serve overlapping four year terms and act in a legislative capacity.
4. The qualifications of the city commission are 18 years of age or older, a citizen of Montana, and reside in the ward he or she is running for or the office of the commissioner elected at large.
5. The City operates with a 10.5 million annual budget.
6. The compensation of the Lewistown City Commission is \$100.00 per meeting they attend. The former city manager annual salary was \$88,000.00 plus benefits.
7. One Hundred Fourteen municipalities (includes the two consolidated governments) in Montana have adopted the “Commission-Executive” form of government (Commission-Mayor). Twenty four of which have a charter.
8. Twelve municipalities in Montana have adopted the “Commission-Manager” form of government. Nine of which have a charter.
9. Forty Two municipalities in Montana have adopted self-governing powers. Thirty two of which have a charter and ten of which have no charter.

FINAL REPORT – C2

Resources and Information Utilized by the Study Commission

Training and Reference Materials

- All commissioners attended the Montana Local Government Review Commission training in Bozeman, Montana December 7-9, 2014
- Montana Local Government Review 2014-2016 Study Commission Handbook
Prepared by the Local Government Center, Montana State University
- City of Lewistown, Montana Budget for the 2014-2015 Budget Year
- Montana Code Annotated
- Montana State University Local Government Center
Dan Clark, Director
Blake Christensen, Associate Director
Ashley Kent, Program Coordinator

Community Input

Study commissioners received public input and visited with citizens at public meetings, public hearings, and outreach events held downtown.

Community Surveys

Two surveys regarding City services and form of government were done. Survey one was placed in the city Newspaper, distributed at City Hall, the City Library, and public meetings. Only 180 surveys were received. Survey two was placed at the Chokecherry Festival. Only 175 surveys were filled out. Tribulations of the survey's results are included in this report (see Appendix G-1)

Interviews with City of Lewistown Elected Officials

- The following City of Lewistown Elected Officials were interviewed by the Study Commissioner:

| Name | Title |
|-------------|-------------------|
| Beth Putnam | City Commissioner |
| Patty Turk | City Commissioner |
| Rick Poss | City Commissioner |
| Dave Byerly | City Commissioner |

Note: The City Commissioners were not interviewed as a body

Interviews with City of Lewistown Department Heads

- The following City Department Heads were interviewed by the Study Commission:

| Name | Title |
|--------------|----------------------------|
| Kevin Myhre | City Manager |
| Keith Kucera | Fire Chief |
| Jim Daniels | Park & Recreation Director |

Interviews with Cities

- The following Cities were interviewed by the Study Commission Individuals:

City
Miles City
Dillion
Glendive
Columbia Falls
Whitefish
Polson
Hamilton
Sidney
Havre
Laurel

FINAL REPORT – D1

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT FOR THE CITY OF LEWISTOWN, MONTANA

If retained by the voters, the government of Lewistown shall remain organized under the following provisions of 7-3-113, M.C.A. which authorizes the municipal commission-manager form of government.

7-3-114. Statutory basis for municipal commission-manager government. (1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the municipal commission-manager form of government shall be governed by the following sections:

- (a) 7-3-301;
- (b) 7-3-302(1);
- (c) 7-3-303;
- (d) 7-3-304;
- (e) 7-3-305;
- (f) 7-3-312(3);
- (g) 7-3-313(1);
- (h) 7-3-314(2);
- (i) 7-3-315(2);
- (j) 7-3-316(2);
- (k) 7-3-317(2);
- (l) 7-3-318.

(2) This form has terms of 4 years for all elected officials. The size of the commission shall be established by ordinance, but it may not exceed five members.

These sections establish the following form of government which shall be called the COMMISSION-MANAGER FORM.

7-3-301. Commission-manager form. The commission-manager form, which may be called the council-manager form, consists of an elected commission, which may be called the council, and a manager appointed by the commission, who is the chief administrative officer of the local government. The manager is responsible to the commission for the administration of all local government affairs placed in the manager's charge by law, ordinance, or resolution.

7-3-302. Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing:

- (1) general government powers; or
- (2) self-government powers.

FINAL REPORT – D2

Charter of the City of Lewistown Preamble

We the People of Lewistown, County of Fergus, State of Montana, to Preserve our Heritage, to Maintain our quality of life and to provide for the future of Lewistown, in accordance with Article XI, Section 5 of the Constitution of Montana, do hereby adopt this Charter.

ARTICLE I POWERS OF THE CITY

Section 1.01 Powers of the City of Lewistown

The City of Lewistown shall have all powers not prohibited by the Constitution of Montana, the laws of Montana, or this Charter.

Section 1.02 Interpretation of Powers

The self-government powers and authority of this city shall be liberally construed. Every reasonable doubt as to the existence of a city power or authority shall be resolved in favor of the existence of that power or authority.

Section 1.03 Restrictions

The mill levy shall be limited as by law.

Section 1.04 Charter Supremacy

As provided by Article XI, Section 5 of the Constitution of Montana, provisions herein establishing executive, legislative and administrative structure and organization are superior to statutory provisions.

ARTICLE II LEGISLATIVE BRANCH

Section 2.01 City Commission

The legislative branch shall consist of the city commission which shall be the governing body of the city.

Section 2.02 Composition

The City of Lewistown shall have a city commission of six (6) members, two of whom shall be elected from each of three (3) wards.

Section 2.03 Qualifications for Office

Every resident of the City of Lewistown who is 18 years of age or older, a citizen of Montana and a qualified elector pursuant to Article IV, Section 2 of the Montana Constitution is eligible to hold the office of commissioner for the ward in which he or she resides or the office of the Commissioner elected at large.

Section 2.04 Term of Office

Members of the commission shall be elected for four (4) year staggered terms of office.

Section 2.05 Election

Local government elections shall be conducted on a nonpartisan basis. Commission members shall be elected by wards in which candidates must reside and which are apportioned by population. One commission member from each ward shall be elected every two years.

Section 2.06 Vacancy in Office

The office of commissioner becomes vacant as prescribed by law.

Section 2.07 Removal from Office

A commissioner may be removed from office by a finding, adopted by the affirmative vote of four (4) commissioners, that the office has become vacant as prescribed by law, or by the recall of the commissioner by the electors of Lewistown, as prescribed by law.

Section 2.08 Filling Vacancy on the Commission

When a vacancy occurs in the office of commissioner, the position shall be considered open and subject to nomination and election at the next general municipal election, except the term of office shall be limited to the unexpired term of the person who originally created the vacancy. Pending such election and qualification, the commission shall appoint within 30 days of the vacancy, by the affirmative vote of four (4) commission members, a person possessing the qualifications for office required by law and this Charter to hold the office until the successor is elected and qualified.

Section 2.09 President of the Commission

The commission shall have a president who shall be elected by the members of the commission from among their own number for a term established by resolution. The president of the commission shall preside when the mayor is absent.

Section 2.10 Powers and Duties

1. The commission shall be the legislative and policy determining body of the city. All governing powers of the city shall be vested in the city commission except as otherwise provided by law or this Charter, and the commission shall provide for the exercise thereof and for the performance of all duties and obligations imposed by law or this Charter. The commission may override the mayor's veto with a two-thirds vote of the entire commission.
2. All members of boards, other than temporary advisory committees established by the mayor, shall be appointed by the commission.

Section 2.11 Legislative Action

The affirmative vote of four (4) members of the commission shall be required for all official actions of the commission. A minimum of four (4) commission members must be present when official actions are taken by the commission.

Section 2.12 Procedure

The commission shall establish its rules of procedure and the time and place of meetings by resolution.

Section 2.13 Compensation

1. The commission shall determine by ordinance or resolution the salaries and compensation of elected and appointed city officers and all city employees.

ARTICLE III EXECUTIVE BRANCH

Section 3.01 The Executive Branch

The mayor shall be the chief executive officer of the City of Lewistown

Section 3.02 Term of Office

The mayor shall be elected for a four-year term of office

Section 3.03 Election

The mayor, who must reside within the city limits of Lewistown at the time of election and throughout the term of office, shall be nominated and elected at large on a non-partisan basis.

Section 3.04 Powers and Duties

The mayor shall:

1. enforce laws, this Charter, and resolutions;
2. perform the duties required by law, this Charter, ordinance or resolution;
3. administer the affairs of the city government;
4. direct, supervise and administer all departments, agencies and offices of the city except as otherwise provided by law, this Charter or ordinance;
5. carry out all policies established by the commission;
6. prepare the commission agenda;
7. recommend measures to the commission;
8. report to the commission on the affairs and financial condition of the city government;
9. chair commission meetings and may take part in discussion;
10. execute bonds, notes, contracts and written obligations of the commission, subject to the approval of the commission;
11. report to the commission as the commission may require;
12. attend commission meetings and may take part in the discussion, but may not vote;
13. execute the budget adopted by the commission;
14. appoint, with the consent of the commission, all members of boards, except the mayor may appoint without consent of the commission temporary committees established by the mayor

Section 3.05 Presiding Officer of the City Commission

The presiding officer of the City Commission shall be the Mayor, who shall decide all tie votes of the City Commission, but shall have no other over vote. The President of the City Commission shall preside in the Mayor's absent.

Section 3.06 Administrative Duties

1. Prepare the budget in consultation with the commission and department heads;
2. Appoint, with advice from the commission, all department heads and may remove department heads without consent from the commission and may appoint and remove all other city employees;
3. Exercise control and supervision of all departments and boards to the degree authorized by resolution of the commission.
4. All city employees are subject to the direction and supervision of the mayor and neither the commission nor its members may give orders to the employees, either publicly or privately.

Section 3.07 Legislative Authority of the Mayor

The mayor shall decide all tie votes of the commission, but shall have no other vote. The mayor may veto ordinances and resolutions, subject to override by a two-third vote of the entire commission.

Section 3.08 Compensation of the Mayor

1. The commission shall determine the compensation of the mayor by ordinance or resolution.

Section 3.09 Absence of the Mayor

The mayor must receive the consent of the commission for an absence from the city for ten (10) or more consecutive days.

Section 3.10 Grounds for removal of the Mayor

The mayor may be removed from office by a finding or determination by law; by an affirmation of the four (4) of the six (6) commission members that, pursuant to law, there is a vacancy in the office of mayor.

Section 3.11 Chief Administrative Officer

1. The Mayor may, with the advice of the city commission, appoint a Chief Administrative Officer to assist in the execution of the Mayor's duties."
2. The Chief Administrative Officer shall be appointed with a written employment contract negotiated by the Mayor. Compensation shall be set by a majority of the city commission. The term of the contract shall not exceed two years unless specifically extended or renewed by majority vote of the city commission.
3. The chief administrative officer shall serve under the direct supervision of the mayor and shall perform those duties delegated to the officer by the mayor.

Section 3.05 Presiding Officer of the City Commission

The presiding officer of the City Commission shall be the Mayor, who shall decide all tie votes of the City Commission, but shall have no other over vote. The President of the City Commission shall preside in the Mayor's absent.

Section 3.06 Administrative Duties

1. Prepare the budget in consultation with the commission and department heads;
2. Appoint, with advice from the commission, all department heads and may remove department heads without consent from the commission and may appoint and remove all other city employees;
3. Exercise control and supervision of all departments and boards to the degree authorized by resolution of the commission.
4. All city employees are subject to the direction and supervision of the mayor and neither the commission nor its members may give orders to the employees, either publicly or privately.

Section 3.07 Legislative Authority of the Mayor

The mayor shall decide all tie votes of the commission, but shall have no other vote. The mayor may veto ordinances and resolutions, subject to override by a two-third vote of the entire commission.

Section 3.08 Compensation of the Mayor

1. The commission shall determine the compensation of the mayor by ordinance or resolution.

Section 3.09 Absence of the Mayor

The mayor must receive the consent of the commission for an absence from the city for ten (10) or more consecutive days.

Section 3.10 Grounds for removal of the Mayor

The mayor may be removed from office by a finding or determination by law; by an affirmation of the four (4) of the six (6) commission members that, pursuant to law, there is a vacancy in the office of mayor.

Section 3.11 Chief Administrative Officer

1. The Mayor has discretion to appoint with the advice of the city commission a Chief Administration Officer to assist in the execution of the Mayor's duties.
2. There may be a chief administrative officer appointed by written employment contract the terms of which shall be negotiated by the mayor for approval by the city commission. The term of the contract shall not exceed two years unless specifically extended or renewed by majority vote of the commission.
3. The chief administrative officer shall serve under the direct supervision of the mayor and shall perform those duties delegated to the officer by the mayor.

Section 3.12 Grounds for removal of the Chief Administrative Officer

Removal of the chief administrative officer will be defined in their contract.

ARTICLE IV JUDICIAL BRANCH

Section 4.01 City Court

There shall be a city court as prescribed by law.

ARTICLE V DEPARTMENT STRUCTURE

Section 5.01

The organization of city departments shall be prescribed by ordinance.

ARTICLE VI GENERAL PROVISIONS

Section 6.01 Amendment of Charter

This Charter may be amended only as prescribed by law.

Section 6.02 Effective Date

This Charter shall become effective on January 2, 2018.

Section 6.03 Oath of Office

Before assuming the duties of office, all elected city officials shall take and subscribe to the oath of office as prescribed in Article III, Section 3 of the Constitution of Montana.

Section 6.04 Severability

If any provision of the Charter is held invalid, the other provisions of this Charter shall not be affected thereby. If the application of the Charter, or any part of its provisions, to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

ARTICLE VII TRANSITIONAL PROVISIONS

Section 7.01 General Transition

1. Transition to this charter form of government shall be as prescribed by law. The Lewistown Study Commission shall provide for such transition with an advisory plan consistent with law.
2. The provisions of this transition article shall not be published as part of the Charter after January 1, 2017

Section 7.02 Continuation in Office

1. No current city employee shall lose employment solely because of the adoption of this Charter. Any person in the employ of the City at the time of the adoption of this charter shall retain the same position unless later discharged, reduced, promoted, transferred, or the person's position is abolished in accordance with law and this Charter.
2. All persons holding elective office at the time this Charter is adopted may continue in office until the end of the term for which elected.

Section 7.03 Review of Existing Ordinances

All ordinances, resolutions, policies, and rules of the City of Lewistown in effect at the time this Charter becomes effective shall continue in effect until repealed or amended in the manner provided by law and this Charter.

Within two (2) years after ratification of the Charter, the City Commission shall review and, where necessary, revise, repeal, or reaffirm all ordinances, resolutions, policies, and rules to provide for compliance and consistency with this Charter and state law.

We, the Lewistown Study Commission, do here by certify that this is the proposed plan of government approved by Lewistown Study Commission.

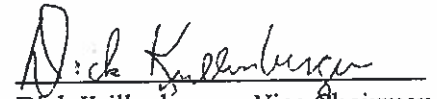
In testimony whereof, we set our hands.

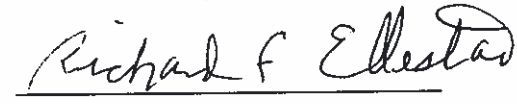
Done at Lewistown this 12 day of August 2016.



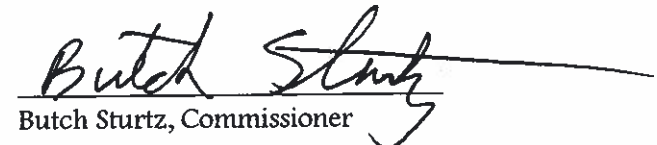
ATTEST: Nikki Brummond
City Clerk


Alexzandra Dunnington, Chairmen


Dick Krillenberger, Vice Chairmen


Dick Ellestad, Commissioner


Darryl McKenzie, Commissioner


Butch Sturtz, Commissioner

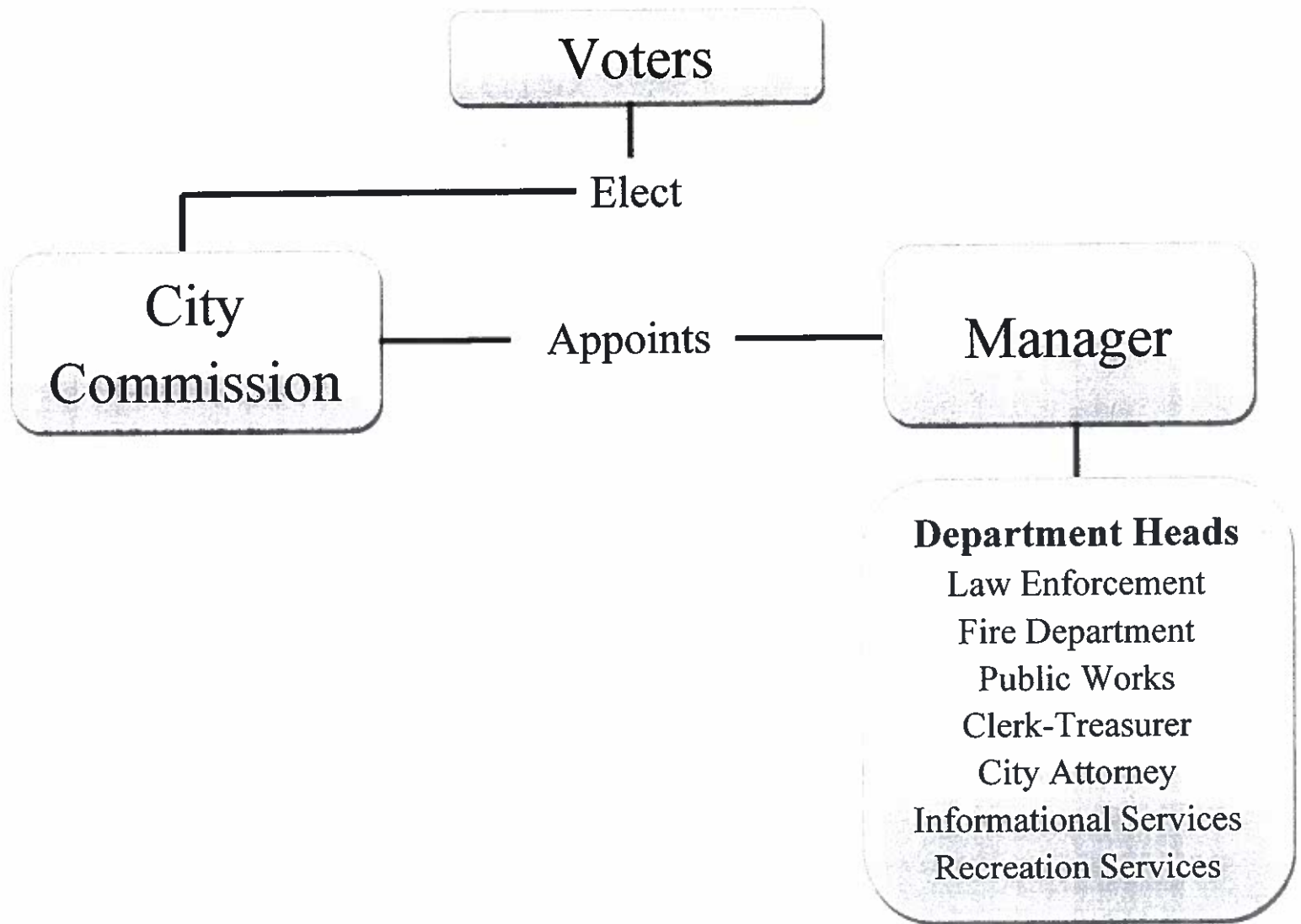
FINAL REPORT – E

COMPARISON OF EXISTING AND PROPOSED FORMS OF GOVERNMENT

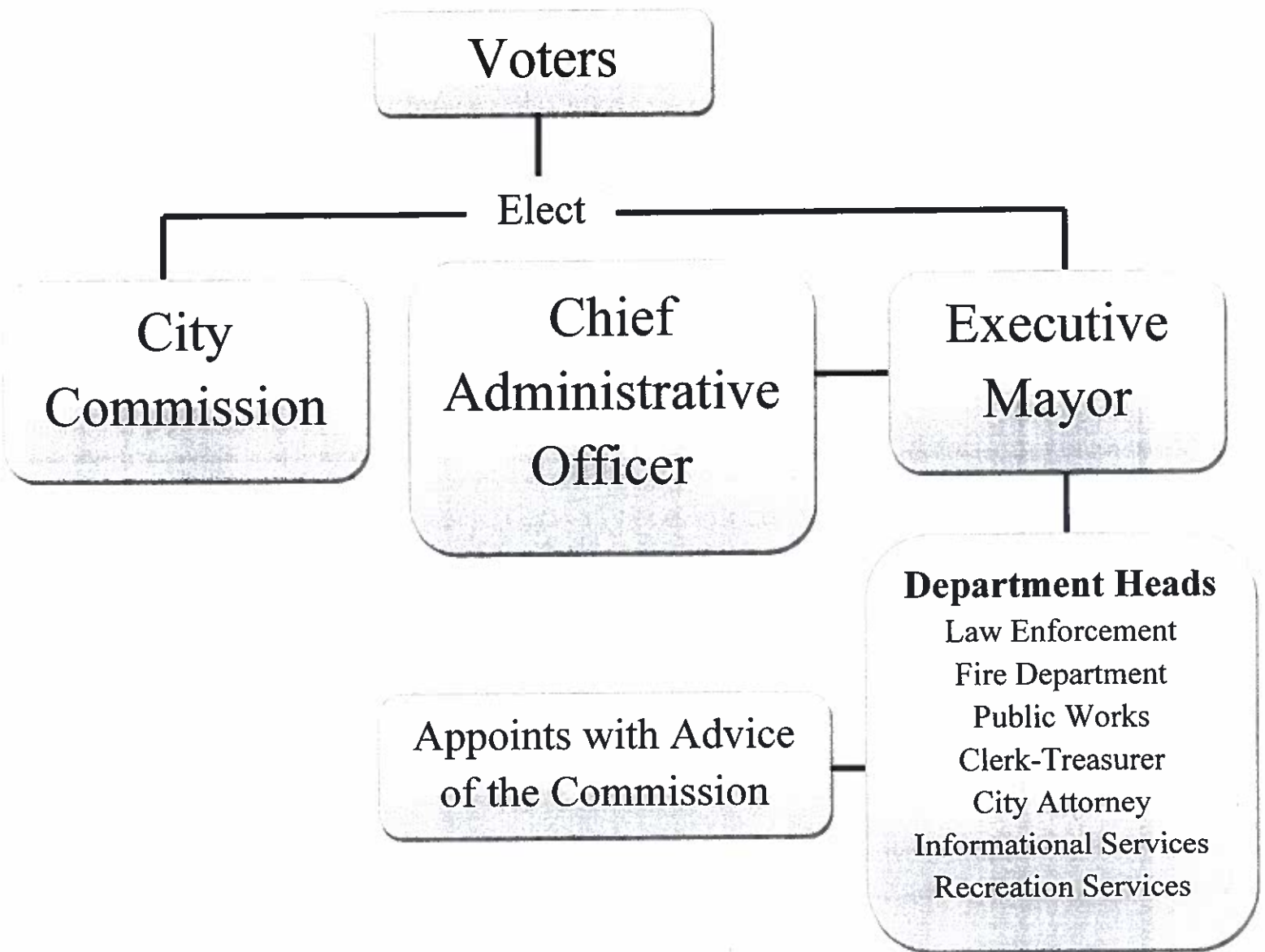
| CHARACTERISTIC | PRESENT FORM/PLAN | PROPOSED FORM/PLAN | COMMENTS (comments are from the majority unless otherwise indicated) |
|--|--|---|--|
| Form of Government | COMMISSION-MANAGER Elected commission performs legislative and policy-making functions. Professional manager appointed by the city commission administers the government under supervision and direction of the city commission. | COMMISSION-MAYOR Elected commission performs legislative policy-making functions. Elected mayor administers the government with the advice and/or consent of the city commission. | |
| Powers | SELF-GOVERNMENT POWERS City government may execute any power which the state does not prohibit. | No change | |
| Governing Body Size | 7 commission members: 6 elected by ward and 1 elected at large | 7 commission members: 6 elected by ward and Mayor is the presiding officer of the city commission. The mayor shall decide all tie votes of the commission, but shall have no other vote. | Ward representation assures viewpoints from all sections of the city. At-large member offers city-wide perspective. |
| Election | Non-partisan election | No change | |
| Term | Four year, overlapping terms | No change | |
| Presiding Officer | Commission chairman serves as presiding officer. | Mayor. In the mayor's absence city commission president serves as presiding officer. | |
| Chief Executive Officer And Chief Administrative Officer | City Manager is appointed by the city commission on the basis of merit. City manager supervises the administration of city government according to | Elected mayor serves as the chief executive officer and supervises administration of the city government according to the policies and direction of the city | Greater management accountability, problem solving capacity and administrative efficiency in dealing with growth related |

| | the policies and direction of the city commission. | commission. | issues. |
|--------------------|--|---|---|
| | | <p>Mayor may appoint a chief administrative officer (CAO) by written contract approved by city commission.</p> <p>Powers of the mayor, who will, under the charter, be provided with the expert assistance of an appointed chief administrative officer whose duties and supervisory responsibility will be delegated by the mayor.</p> | Greater management and service delivery efficiency while maintaining direct voter accountability of an elected mayor. |
| Appointment Powers | <p>Commission appoints and removes the city manager.</p> <p>City Manager appoints and removes all department heads with consent of the city commission.</p> <p>City manager appoints and removes all other city employees.</p> <p>City Commission appoints boards and commissions.</p> | <p>Mayor appoints all department heads with advice from the city commission. Mayor removes all department heads without consent from the city commission.</p> <p>Mayor appoints and removes all other city employees.</p> <p>Mayor appoints boards and commissions with consent of the city commission.</p> | |
| Budget Preparation | City manager prepares the budget. The budget is approved by the city commission | Mayor prepares the budget in consultation with the city commission and department heads. The budget is approved by the city commission. | |

Organizational Chart of Executive-Manager



Organizational Chart of Commission-Executive



FINAL REPORT – F1

**CERTIFICATE ESTABLISHING THE DATE OF THE ELECTION AT WHICH THE
ALTERNATIVE FORM OF GOVERNMENT SHALL BE
PRESENTED
TO THE VOTERS OF THE CITY OF LEWISTOWN**

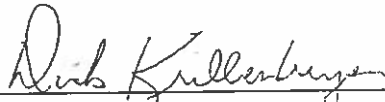
The alternative form of government proposed by the Local Government Study Commission shall be submitted to the voters of Lewistown to be held at the primary election on **November 8th, 2016.**

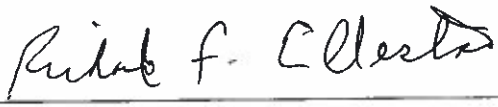
We, the Study Commission of the City of Lewistown do hereby certify that this is the date of the primary election approved by the Study Commissioners of the City of Lewistown.

In testimony whereof, we set our hands.

Done at Lewistown, Montana this 12 day of August, 2016.

By 
Alexandra Dunnington, Chairman

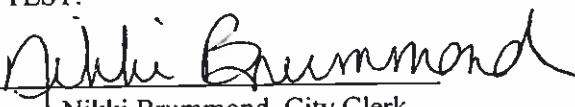
By 
Dick Krillenburger, Vice Chairman

By 
Dick Ellestad, Commissioner

By 
Darryl McKenzie, Commissioner

By 
Butch Sturtz, Commissioner

ATTEST:

By 
Nikki Brummond, City Clerk

FINAL REPORT – F2

**CERTIFICATION ESTABLISHING THE FORM OF THE BALLOT QUESTION FOR
THE NOVEMBER 8, 2016 PRIMARY ELECTION.**

Instruction to voters: Fill in the oval which expresses your preferences.

**OFFICIAL BALLOT
ON THE ALTERNATIVE FORM OF LOCAL GOVERNMENT**

This ballot question, proposed by the majority of the Lewistown Local Government Review Study Commission, will determine whether the City of Lewistown will adopt a commission-mayor plan or continue the existing commission-manager form of government.

Vote for One:

- ☐ FOR adoption of the commission-mayor charter plan of government proposed for the City of Lewistown by the majority of the Lewistown Local Government Review Study Commission to be effective January 2, 2018.
- ☐ FOR the existing commission-manager form of government.

We, the Study Commissioners of the City of Lewistown do hereby certify that this is the official ballot for the primary election approved by the Study Commissioners of the City of Lewistown.

In testimony whereof, we set our hands.

Lewistown, Montana this 12 day of August, 2016.

By Alexandra Dunnington
Alexandra Dunnington, Chairman

By Dick Krillenburger
Dick Krillenburger, Vice Chairman

By Dick Ellestad
Dick Ellestad, Commissioner

By Darryl McKenzie
Darryl McKenzie, Commissioner

By Butch Sturtz
Butch Sturtz, Commissioner

ATTEST:
By Nikki Brummond
Nikki Brummond, City Clerk

FINAL REPORT – F3

**CERTIFICATE ESTABLISHING THE EFFECTIVE DATE OF THE CHARTER
IF APPROVED BY THE VOTERS OF THE CITY OF LEWISTOWN**

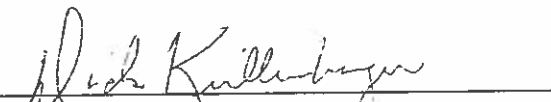
If approved by the voters, the proposed Charter will become effective January 2, 2018

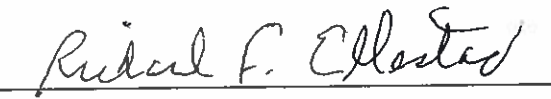
We, the Study Commission of the City of Lewistown do hereby certify that this is the effective date of the proposed charter if approved by the voters of Lewistown.

In testimony whereof, we set our hands.

Done at Lewistown, Montana this 12 day of August, 2016.

By 
Alexandra Dunnington, Chairman

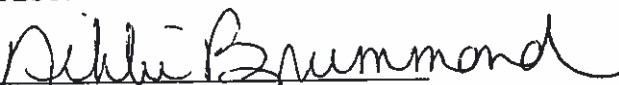
By 
Dick Krillenburger, Vice Chairman

By 
Dick Ellestad, Commissioner

By 
Darryl McKenzie, Commissioner

By 
Butch Sturtz, Commissioner

ATTEST:

By 
Nikki Brummond, City Clerk

FINAL REPORT – G1

Survey #1 - Newspaper Survey

| # of Surveys | 180 | | | | City Residents | County Residents | Nonresident marked |
|--------------|-----|------------|----|--|----------------|------------------|--------------------|
| Singed | 138 | Not Singed | 42 | | 131 | 40 | 6 |

Question 1:

In general, how responsive is your town government to your needs?

| | | | | | |
|--------------------------|-----|----|---|---|-----|
| Very Responsive | 43 | 17 | 2 | = | 62 |
| Responsive | 40 | 6 | 2 | = | 48 |
| Not very responsive | 17 | 3 | 2 | = | 22 |
| Very unresponsive | 31 | 13 | 1 | = | 45 |
| No opinion or don't know | 2 | 1 | 0 | = | 3 |
| | 133 | 40 | 7 | | 180 |

Question 2:

In your opinion, how fair is your town government in dealing with all the residents of your community?

| | | | | | |
|--------------------------|-----|----|---|---|-----|
| Very fair | 41 | 19 | 2 | = | 62 |
| Fair | 42 | 5 | 0 | = | 47 |
| Nor very fair | 16 | 3 | 2 | = | 21 |
| Very unfair | 31 | 12 | 1 | = | 44 |
| No opinion or don't know | 3 | 1 | 2 | = | 6 |
| | 133 | 40 | 7 | | 180 |

Question 3:

If you had a problem that needed to be handled by the city manager & commission, do you believe they would listen to your concerns and treat you fairly?

| | | | | | |
|--------------------------|-----|----|---|---|-----|
| Yes | 73 | 22 | 2 | = | 97 |
| Probably | 10 | 2 | 2 | = | 14 |
| Probably not | 13 | 3 | 1 | = | 17 |
| No | 33 | 13 | 2 | = | 48 |
| No opinion or don't know | 4 | 0 | 0 | = | 4 |
| | 133 | 40 | 7 | | 180 |

Question 4:

If I had to vote tomorrow, I would vote to:

| | | | | | |
|---------------------------------|-----|----|---|---|-----|
| To keep the current government: | 81 | 20 | 2 | = | 103 |
| To make few changes | 5 | 1 | 2 | = | 8 |
| To make major changes | 7 | 3 | 0 | = | 10 |
| To completely change government | 38 | 15 | 3 | = | 56 |
| No opinion or don't know | 2 | 1 | 0 | = | 3 |
| | 133 | 40 | 7 | | 180 |

Survey #2 - Chokecherry Festival

Total Surveys:

175

Question 1:

What do you think of our present form of Government? (Commission-Manager Form)

| | |
|---------------|-----|
| Working Good: | 30 |
| Not Working: | 140 |
| None Marked: | 4 |
| Both Marked: | 1 |

175

Question 2:

Do you think a Commission-Executive Form of Government would be good for Lewistown? (Council-Mayor Form)

| | |
|--------------|-----|
| Yes: | 125 |
| No: | 44 |
| None Marked: | 6 |

175

Question 3:

Do you think a Council-Mayor Form of Government with an appointed City Administrator (a Manager/CAO position) would be good for Lewistown?

| | |
|----------------|----|
| Would be Good: | 83 |
| Not Good: | 62 |
| No Opinion: | 25 |
| None Marked: | 5 |

175

Question 4:

Would you support making changes to our present City Charter?

| | |
|--------------|-----|
| Yes: | 141 |
| No: | 27 |
| None Marked: | 7 |

175

FINAL REPORT – G2

LOCAL GOVERNMENT REVIEW STUDY COMMISSION OF CITY TOWN OF LEWISTOWN MT

TIMETABLE FOR STUDY COMMISSION DELIBERATIONS AND ACTIONS

All meetings of the Study Commission are open to the public.

This timetable for the deliberations and actions of the Lewistown Study Commission is established as required by 7-3-186, MCA for the purpose of assuring full public information concerning the Local Government Review process in our City/Town and enabling informed citizen participation.

| | |
|----------------------------|---|
| Dec 8-9, 2014 | Study Commission Training at Montana State University |
| Jan 5, 2015 | Study Commissioners sworn in at City Council Meeting |
| Jan 12, 2015 | First meeting held |
| March 30, 2015 | Public meetings thereafter will be held the 2nd Friday of the month at 11 am at the Civic Center and the last Monday (unless a holiday then the following Tuesday) at 7 pm at the Council on Aging. |
| April 10, 2015 Timeline | Public Meeting to gather all and to go over citizen surveys. Approval/Adopt the |
| May 8, 2015 | Public Meeting to present the results of the citizen survey and to hear citizen response about it. |
| Dec 11 & 28, 2015 | Public Meetings Canceled |
| April 13, 2016 | Committee of a whole meetings thereafter will be at 6 pm on the Monday night meetings at the Council on Aging until reports are published.*Subject to have work meeting on Wednesdays if needed with 48 hours' notice to the public. There will be no action item at these meetings.* |
| April 20, 2016 | Public Hearing Meeting for the purpose of gathering information regarding the current form, functions, problems of local government, and citizen response to local government at 7 pm at the Council on Aging. No Committee of a whole meeting on this night. |
| June 10, 2016 | Adopt Tentative Report |
| July 8, 2016 | Public Hearing Meeting to gather citizen response to Tentative Report. |
| August 12, 2016 | Adopt final report and provide County Clerk and Recorder and Department of Administration in Helena a ballot certificate if a proposal is to be placed on the November 8, 2016 ballot. |

| | |
|--------------------|---|
| September 9, 2016 | If the final report proposes an alteration of local government, prepare public education materials to help citizens understand the proposal and compare the proposal with existing government form, structures, and powers. |
| September 26, 2016 | Approve public education materials and make available to the public. |
| September 28, 2016 | Have a summary of the findings and recommendations published in the newspaper that will run for two consecutive weeks along with where the public can get copies of the education materials and reports. |
| November 8, 2016 | If a proposed alteration of the government is approved by the voters, initiate transition planning. |
| December 9, 2016 | Adopt transition advisory plan and vacate office. |
| December 19, 2016 | Deposit all minutes and other Study Commission documents with the county clerk and recorder. |

FINAL REPORT – G3

| | | | |
|------------------|----------|------------------|------------------|
| Lewistown | Charter | | |
| 5902 | Manager: | \$88,000.00/year | Interim Manager: |
| 7 | Council: | \$200 month | 85,000.00/year |

Towns Comparable to Lewistown's population

| | | | | | |
|-----------------------|------------|-------------------|-----------------|----------|--|
| Dillion | Charter | | Polson | Charter | |
| 4219 | Mayor: | \$38693.43/year | 4604 | Manager: | \$38,316.00/year |
| 8 | Council: | \$100 month | | Mayor: | \$500 month |
| | | | 6 | Council: | \$200 month |
| Glendive | No Charter | | | No | |
| 5363 | Mayor: | 23,735.00/year | Hamilton | Charter | |
| 8 | Council: | \$190 month | 4556 | Mayor: | \$18,653.00/year |
| | | | 6 | Council: | \$810 month |
| | | | | | \$100 extra each quarter for the chair |
| Columbia Falls | No charter | | | No | |
| 4796 | Manager: | \$73,000.00/year | Sidney | Charter | |
| | Mayor: | \$400 month | 6253 | Mayor: | \$15,600.00/year |
| 6 | Council: | \$200 month | 6 | Council: | \$90 meeting |
| Whitefish | Charter | | Laurel | Charter | |
| 6649 | Manager: | \$122,786.00/year | 7036 | Mayor: | \$10,600.00/year |
| | Mayor: | \$0.00 | | CAO: | \$75,00.00/year |
| 5 | Council: | \$0.00 | 8 | Council: | \$3,607.24/year |

These wages are strictly salaries only, insurance or other benefits that they receive are not included.

FINAL REPORT – G4

| Comparative Costs- Current Form of Government versus Proposed Form of Government | | |
|---|-----------------------------|--------------------------------|
| | | |
| | | |
| | Cost of Current Form | Cost of Proposed Form |
| | With City Manager | With Mayor, Chief |
| | & Commission | Administrative Officer, |
| | | & Commission |
| | | |
| Annual Cost of City Manager (Interim) | 85,000.00 | |
| Annual Cost of City Commission | 16,800.00 | |
| | | |
| Annual Cost of City Mayor | | 30,000.00 |
| Annual Cost of City Commission | | 14,400.00 |
| Annual Cost of CAO | | 60,000.00 |
| | | |
| Total Cost Compensations | 101,800.00 | 104,400.00 |
| | | |
| | | |
| <p><i>Note: Proposed annual salaries for the City Mayor and CAO were determined by looking at median household income for the state of Montana and the city of Lewistown from the US Census Bureau website www.census.gov. Montana's median household income was \$46,766.00, Lewistown's median household income was \$38,438.00.</i></p> <p><i>Note: None of these figures include payroll taxes, insurance, benefits, allowances, or stipends.</i></p> <p><i>Note: The proposed Form of Government with a Mayor and Chief Administrative Officer annual salaries are what we the government study commission propose. The final salary for the Mayor will be set by the City Commission by resolution or ordinance. The final salary for the CAO will be set by the Mayor and the City Commission through their employment contract.</i></p> | | |

FINAL REPORT – G5

City of Lewistown Study Commission TENTATIVE & FINAL REPORT DISTRIBUTION

- A. Tentative Report – MCA 7-3-186(2)(b)** – “formulate, reproduce, and distribute a tentative report”
1. Public meeting to adopt and prior to public hearing:
 - a. Post draft on study commission website: lewistownstudycommission@yahoo.com.
 - b. Place draft copies at Lewistown City Complex, Lewistown Public Library, & City of Lewistown Chamber of Commerce.
- B. Final Report**
1. **MCA 7-3-187(4)** “file two copies of the final report with the department of administrative, one of which the department shall forward to the state library. A copy of the final report must be certified by the study commission to the municipal records administrator within 30 days after the adoption of the final report.
 2. **MCA 7-3-187(5)** “sufficient copies of the final report must be prepared for public distribution. The final report must be available to the electors no later than 30 days prior to the election on the issue of adopting the alternative form or plan of government. Copies of the final report may be distributed to electors or residents of the local government or government affected.”
 3. **MCA 7-3-191** “shall publish once each week for 2 successive weeks in a newspaper of general circulation throughout the area of the affected local government a summary of its findings and recommendations, together with the address of a convenient public place where the text of its proposal may be obtained. The summary shall include a comparison of the existing and proposed plans of government.”
 4. post on study commission website: lewistownstudycommission@yahoo.com.
 5. have copies at Lewistown City Complex, Lewistown Public Library, & City of Lewistown Chamber of Commerce.